

**NEW BEDFORD, MASSACHUSETTS**

**MEETING: COMMITTEE ON CITY PROPERTY**  
**DATE: JUNE 22, 2022**  
**TIME: 6:30 P.M.**  
**PLACE: CITY COUNCIL CHAMBER, ROOM 214, MUNICIPAL BUILDING**

**PRESENT: COUNCILLORS MARIA GIESTA, CHAIRPERSON; WILLIAM BRAD MARKEY, VICE CHAIRMAN; IAN ABREU; DEREK BAPTISTE; SHANE BURGO; NAOMI CARNEY; HUGH DUNN; BRIAN GOMES; SCOTT LIMA; LINDA MORAD; RYAN PEREIRA**

**ABSENT: NO ONE**

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Councillor Giesta called the City Property Committee Meeting to order and took attendance; there were no absences.

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Notice, City Clerk of reference of a COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER that the City acting through its City Property Committee issue an RFP for the purpose of acquiring the new site for the City of New Bedford Public Schools' Central Kitchen in substantially the same format as attached thereto (Ref'd 06/25/2020) (07/23/2020 – tabled) (08/10/2020 – remain in committee) (02/17/2021 – tabled, less than 30 days) (09/27/2021 – tabled); AN ORDER, that the City acting through its City Property Committee issue an RFP for the purpose of acquiring the new site for the City of New Bedford Public Schools' Central Kitchen in substantially the same format as attached thereto (Ref'd 06/25/2020) (07/23/2020 – tabled) (08/10/2020 – remain in committee; Move that the Committee on City Property vote to acquire property by lease or by purchase for the purpose of acquiring a site for the public schools' central kitchen and that proposals be solicited for said purpose, Yeas 10, Nays 0; Move that the Committee on City Property authorize the New Bedford public school department to proceed with issuing the request for proposals in accordance with Chapter 30B Sec 16 of the General Laws and that all bids received by the school department be submitted to the Committee on City Property with any written recommendations that the school department may choose to make to the Committee for selection, Yeas 10, Nays 0.) (02/17/2021 – tabled, less than 30 days) (09/27/2021 – Allow NBSD to negotiate the sales contract for the 449 North St. property and that the negotiated sale be brought back to the City Property Committee along with the School Committee's approval of the MOU showing the payment plan to be instituted as it relates to the purchase of the property, Yeas 10, Nays 0; tabled); COMMUNICATION, Council President Lopes submitting a copy of a letter regarding the School Committee's recommendation to purchase property at 449 North Street for the New Bedford Public Schools' Food Service Department (To be Referred to the Committee on City Property.) (Ref'd 02/11/2021) (Communication includes RFP paperwork) (02/17/2021 – tabled, less than 30 days) (09/27/2021 – tabled); COMMUNICATION, Dr. Barry Rabinovitch, School Construction Facilitator, New Bedford Public Schools to Dennis Farias, City Clerk / Clerk of the City Council, requesting a meeting with the Committee on City Property for the purpose of seeking

approval to purchase the property located at 449 North Street for the New Bedford Public Schools' Central Kitchen; and further, submitting appropriation letters relating to the purchase and renovation of 449 North Street and a Memorandum of Understanding (MOU) Agreement by and between the New Bedford Public Schools and the City of New Bedford (Rec'd 04/21/2022) were removed from the table and received and placed on file by Councillor Lima and seconded by Councillor Morad. (1, 1a, 1b, 1c)

Andrew O'Leary, Assistant Superintendent of Finance and Operations, was present and gave an overview of past discussions on the need for a new central kitchen and the steps that have been taken as instructed by the Committee towards purchase of a property. He explained an RFP was issued and that they received one reply, for the property before the Committee tonight, 449 North Street. He went on to explain that this property would be purchased through the approval of a \$5 million dollar bond by the city. The city would loan the money to the School Department, they would purchase the property, making betterments and improvements to the property is a part of the bond request. The School Department will then make yearly payment (over the next 20 years) through the receipt of USDA funds and pay the city back for the bond they will receive.

Mr. O'Leary addressed the Committee's concerns regarding 21E certification from the State. He informed the Committee that the previous owner removed the inground tanks, and other pollutants from the property so that it has passed and received the 21E certificate. The School Department is aware of a small area that may need to be addressed, but that would be paid for by the School Department and is estimated to fall between \$10,000 and \$30,000 if needed. He also, addressed the Committee's concern as it related to the School Department being able to make the payments over the next twenty (20) years. He explained that the City has been receiving USDA funds for the past forty (40) years and that over the past twenty (20) years these funds have been in the black. He was confident this would not change, and the School Department would be able to meet its obligations.

Michael Gagne, Acting CFO, was present and was asked if the city is in the financial position to bond for the \$5,000,000 requested, and he said it was.

On motion by Councillor Lima and seconded by Councillor Abreu, the Committee VOTED: That the City Property Committee ACCEPT the BID submitted by the owner of 449 North Street and recommend that the City Council APPROVE the purchase of the selected property pursuant to the responder's bid and subject to execution of the Memorandum Of Understanding between the City and the School Department; and further recommending that the City Council authorize the City Solicitor and Mayor to negotiate a purchase and sales contract for a price not to exceed the price enclosed in the owner's bid and to prepare and execute all necessary documents to effectuate the acquisition. This motion passed on a Roll Call Vote of Yeas 11, Nays 0.

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Notice, City Clerk of reference of a COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER that the Mayor execute on behalf of the City of New Bedford, an Activities and Use Limitation (AUL) for the Nemasket Lots, the lots contain 85,797+/- square feet or 1.970+/- acres (Ref'd 01/13/2022) was received and placed on file by Councillor Lima and seconded by Councillor Baptiste. (2, 2a)

Michele Paul, Director of Resilience and Environmental Stewardship was present and explained that this action would allow the Mayor on behalf of the City of New Bedford to enact an Activities and Use Limitations for the Nemasket Lots, adjacent to the Keith Middle School. This would prevent certain construction activities to take place on this property in the future. While they do not expect any construction on the site, this will provide restrictions on the property. Utilities will be allowed access, but they will only be able to work with corridors already in place below the land. This will preserve the property as a field for athletic activities to continue.

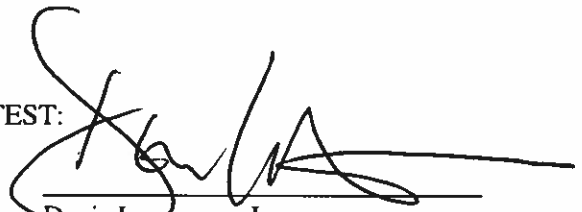
Ms. Paul was asked if like other contaminated sites, now clean, e.g., Hathaway Road, would the city be required to monitor the property. She explained that they would not need to continually monitor the property, other than that the turf remains in good shape, and this would be visual monitoring.

On motion by Councillor Morad and seconded by Councillor Baptiste, the Committee VOTED: To recommend to the City Council ADOPTION of the ORDER, that the Mayor execute on behalf of the City of New Bedford, an Activities and Use Limitation (AUL) for the Nemasket Lots, the lots contain 85,797+/- square feet or 1.970+/- acres. This motion passed on a Roll Call Vote of Yeas 11, Nays 0.

Councillor Burgo made a motion to adjourn, which was seconded by Councillor Abreu.

This meeting adjourned @ 7:00 p.m.

ATTEST:



Denis Lawrence, Jr.,  
Clerk of Committees